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JUL 27 2005

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JOHN F. CORCORAN, CLERK
BY: *H. McDonald*
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TERENCE CLEMENTS, #314338,)	
Petitioner,)	Civil Action No.7:05cv00153
)	
v.)	<u>FINAL ORDER</u>
)	
COMMONWEALTH OF VIRGINIA,)	By: Jackson L. Kiser
Respondent.)	Senior U.S. District Judge

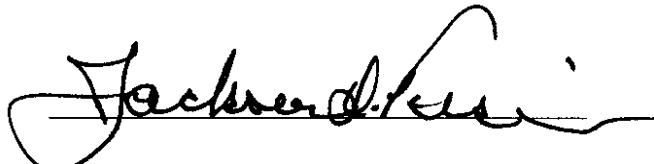
In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that respondent's motion to dismiss shall be and is hereby **GRANTED**; the petition for habeas corpus, pursuant to 28 U.S.C. §2254, shall be and hereby is **DISMISSED**; all other pending motions are hereby **DENIED**; and the action is hereby stricken from the active docket of the court.

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to petitioner and to counsel of record for the respondent.

ENTER: This 27th day of July, 2005.


Senior United States District Judge